

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND**

IN RE

TALLULAH'S TACQUERIA, LLC  
Debtor

Case No. 1:25-bk-10270

Chapter 11 (Subchapter V)

**MOTION OF CREDITOR, FARM FRESH RHODE ISLAND, TO COMPEL DEBTOR-  
IN-POSSESSION TO ABANDON ALL TANGIBLE PERSONAL PROPERTY,  
INCLUDING EQUIPMENT AND FIXTURES, LOCATED AT LEASED PREMISES AT  
10 SIMS AVENUE, SUITE 109, PROVIDENCE, RHODE ISLAND**

Creditor, Farm Fresh Rhode Island ("FFRI"), hereby moves to compel the Debtor-in-Possession, Tallulah's Tacqueria, LLC to abandon all tangible personal property including fixtures and equipment (the "Personal Property") that is presently located at 10 Sims Avenue, Suite 109, Providence, Rhode Island (the "Premises"). Pursuant to Fed. R. Bankr. P. 6007, this motion is being sent to the Debtor-in-Possession, all creditors and indenture trustees, and the U.S. Trustee.

The Premises, which are part of the Farm Fresh Food Hub in Providence Rhode Island, were formerly leased to the Debtor under a Lease dated March 1, 2021. However, due to various lease defaults including nonpayment of rent, Landlord terminated the Debtor's lease effective on March 18, 2025.

Debtor has stated in its Status Report Pursuant to 11 U.S.C. § 1188(c) that it "intends to cease operating the 10 Sims Avenue location and to move to abandon the equipment at that location." (ECF No. 32 ¶ 13, Apr. 30, 2025.) The within motion, and a separate motion filed contemporaneously herewith which seeks to recover possession of the Premises from the Debtor, are designed to hasten the Debtor's exit from the Premises.

Abandonment of the Personal Property is appropriate pursuant to 11 U.S.C. § 554(b), which permits abandonment of property of the estate that is "burdensome to the estate

NO OBJECTIONS HAVING BEEN FILED, MOTION IS GRANTED

 6/2/25

or that is of inconsequential value and benefit to the estate.” The Debtor’s Schedule A/B states that its machinery, fixtures, and equipment at the Premises have a value of \$114,000. (ECF No. 26 at 6.) It is allegedly subject to security interests in favor of Navigant Credit Union in the amount of over \$288,000. *Id.* at 12; Status Report ¶ 8–9, ECF No. 32. Accordingly, there is no equity in the Personal Property.

Moreover, because the Debtor is a holdover tenant, it will be vacating the Premises in the near future. Removal of the Personal Property from the Premises would be prohibitively expensive for the Debtor with little corresponding benefit. Accordingly, the Debtor should simply abandon it.

### CONCLUSION

WHEREFORE, Creditor, Farm Fresh Rhode Island, respectfully requests that all tangible personal property including fixtures and equipment (the “Personal Property”) that is presently located at 10 Sims Avenue, Suite 109, Providence, Rhode Island (the “Premises”) be deemed abandoned.

### **Notice of Time to Respond/Object Pursuant to Local Rule 1005-1**

Within twenty-one (21) days after service, if served electronically, as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail or other excepted means specified, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

DATED: May 6, 2025

CREDITOR,  
FARM FRESH RHODE ISLAND

By Its Attorneys,

PARTRIDGE SNOW & HAHN LLP

/s/ Daniel E. Burgoyne

Daniel E. Burgoyne (#7541)  
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dburgoyne@psh.com

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that a true copy of the within document was filed electronically with the above-captioned Court, and notices of electronic filing were sent to the following persons on **May 6, 2025**.

- **Daniel E. Burgoyne** dburgoyne@psh.com, kfrancois@psh.com
- **Joseph M. DiOrio** jdiorio@pldolaw.com,  
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- **Thomas P. Quinn** tquinn@mclaughlinquinn.com,  
mwoodside@mclaughlinquinn.com

The within document was also sent, via first class mail, to the following persons:

**Internal Revenue Service**

Insolvency Unit 4th Floor  
380 Westminster Street  
Providence, RI 02903

**Thomas P. Quinn**

McLaughlin & Quinn  
148 West River Street, Suite  
1E  
Providence, RI 02904

**RI Division of Taxation**

Bankruptcy Unit  
co Richard P. Smith  
Chief - Collection Section  
One Capitol Hill  
Providence, RI 02903

**State of RI - Labor and Training**

Legal Department  
Bldg 72 3rd Floor  
1511 Pontiac Avenue  
Cranston, RI 02920

The within document was also sent, via first class mail, to the creditors indicated on the court-generated list attached hereto.

*/s/ Daniel E. Burgoyne*

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Label Matrix for local noticing  
0103-1  
Case 1:25-bk-10270  
District of Rhode Island  
Providence  
Thu May 1 18:13:30 EDT 2025

RI Division of Taxation  
Bankruptcy Unit  
co Richard P. Smith  
Chief - Collection Section  
One Capitol Hill  
Providence, RI 02908-5816

Providence Courtroom  
The Federal Center  
380 Westminster Street  
6th Floor  
Providence, RI 02903-3240

Baldor Specialty Inc  
155 Food Center Drive  
Bronx NY 10474-7136

Chef's Warehouse  
249 Food Ctr Drive  
Bronx NY 10474

Citrin Cooperman  
500 Exchange Street, Ste 9-100  
Providence RI 02903-2635

Easy Ice, LLC  
PO Box 650769  
Dallas, TX 75265-0769

Financial Agent Services  
P.O. Box 2576  
Springfield IL 62708-2576

Kelly Ann Rojas  
32 Deck Street  
Jamestown RI 02835-2625

Liberty Cleaning Inc.  
25 Stone Drive  
Cranston RI 02920-1321

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

State of RI - Labor and Training  
Legal Department  
Bldg 72 3rd Floor  
1511 Pontiac Avenue  
Cranston, RI 02920-4407

Ally Auto  
PO Box 380902  
Minneapolis MN 55438-0902

CJ&J Trailer Leasing  
dba Pilotte's Refrigeration  
34 Sears Road  
Swansea MA 02777-4517

Christopher P. Rhodes, Esq.  
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East Greenwich RI 02818

Corporation Service Company  
801 Adlai Stevenson Drive  
Springfield IL 62703-4261

Ecolab Inc.  
PO Box 32027  
New York NY 10087-2027

Heller Properties LLC  
Attn: Claude Goldstein  
111 Fifth Street  
Providence RI 02906-2801

Krost CPA's  
225 S. Lake Ave., Ste 400  
Pasadena CA 91101-3010

Mobile Mini, Inc.  
4646 E. Van Buren Street  
Suite 400  
Phoenix, AZ 85008-6927

(p)NAVIGANT CREDIT UNION  
1005 DOUGLAS PIKE  
SMITHFIELD RI 02917-1206

Tallulah's Taqueria, LLC  
146 Ives Street  
Providence, RI 02906-3829

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PO Box 1270  
Newark NJ 07101-1270

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225 S. Lake Ave  
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New England Certified Dev Corp  
500 Edgewater Drive, Ste 555  
Wakefield MA 01880-6232

North Meadow Properties, LLC  
109 Carr Lane  
Jamestown RI 02835-1703

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Arlington VA 22203-4129

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McLaughlin & Quinn  
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Providence, RI 02904-2615

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McLaughlinQuinn LLC  
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Providence, RI 02904-2615

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service  
Insolvency Unit 4th Floor  
380 Westminster Street  
Providence, RI 02903

Navigant Credit Union  
1005 Douglas Pike  
Smithfield, RI 02917

Caine & Weiner  
P.O. Box 55848  
Sherman Oaks CA 91413

(d) Navigant Credit Union  
1005 Douglas Pike  
Smithfield RI 02917

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Farm Fresh Rhode Island

End of Label Matrix  
Mailable recipients 42  
Bypassed recipients 1  
Total 43